

Whereas, Cassie Shaw has demonstrated a commitment to meet challenges with enthusiasm, confidence and outstanding service; and

Whereas, Cassie Shaw must be commended for the hard work and dedication she put forth in earning the Girl Scout Gold Award;

Therefore, I join with the Girl Scouts, the residents of Kingston and the entire 18th Congressional District in congratulating Cassie Shaw as she receives the Girl Scout Gold Award.

CONSTITUTIONAL AMENDMENT  
AUTHORIZING CONGRESS TO  
PROHIBIT PHYSICAL DESECRATION  
OF THE FLAG OF THE  
UNITED STATES

**HON. TOM UDALL**

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 4, 2003*

Mr. UDALL of New Mexico. Mr. Speaker, I rise today in opposition to H.J. Res. 4, the proposed amendment to the Constitution to prohibit the physical desecration of the United States flag. I respect our flag, what it stands for, and personally deplore acts of desecration against the flag. However, I believe that our commitment to respecting our flag while preserving our fundamental freedoms, as symbolized by our flag and embodied in the Constitution and Bill of Rights, can be met without amending the Constitution.

Many Members of Congress see continued tension between "free speech" decisions of the Supreme Court, which protect flag desecration as an expression of first amendment speech, and the symbolic significance of the United States flag. Consequently, every Congress that has convened since those decisions were issued has considered possible measures to permit the punishment of those who engage in flag desecration. However, the amendment offered today by the majority would diminish the First Amendment's guarantee of freedom of expression, one of our most fundamental guarantees of the Bill of Rights.

Amending the U.S. Constitution is necessarily and understandably a rigorous task. To become the law of the land, the flag desecration amendment would have to get the approval of two-thirds of both chambers of Congress and then be ratified by three quarters of the state legislatures. The fact that only 27 amendments, including the Bill of Rights, the civil rights amendments, and women's suffrage, have been made to the Constitution in the past 200 years illuminates the infrequency of such legislative initiatives. Moreover, since its ratification in 1791, the Bill of Rights has not been altered in any manner. Consequently, I believe that passage of such an amendment would set a dangerous precedent for further erosion of our constitutional rights and freedoms.

Not only is amending the Constitution a task that must not be taken lightly, we must be absolutely sure that it is necessary. In this case, I am not convinced that the requisite level of necessity has been met. For example, flag burning is an exceedingly rare occurrence—since the Supreme Court's free speech, flag desecration decisions, fewer than 10 flag

burning incidents have been reported each year.

Considering this, I believe that amending the Constitution to address the shameful conduct of such a minute portion of our general populace is simply unnecessary. This conviction is generally supported by a letter sent to Senator PATRICK LEAHY in May 1999, in which General Colin Powell, now Secretary of State, wrote that "The First Amendment exists to insure that freedom of speech and expression applies not just to that with which we agree or disagree, but also that which we find outrageous. I would not amend that great shield of democracy to hammer a few miscreants. The flag will be flying proudly long after they have slunk away." Secretary Powell, one of our most noted patriots and war heroes, obviously believes that diminishing our First Amendment rights is not the solution to the perceived problem at hand.

Taking into account the infrequency of flag desecration, as noted by Secretary of State Powell, I question today what it is that we are trying to regulate: is it the act of physical desecration itself or rather the sentiment behind the action? I believe that H.J. Res. 4 would affectively and severely abridge our rights of free expression. As such, I will oppose passage of this proposed constitutional amendment.

TRIBUTE TO MR. JACOB HOFFMAN

**HON. ROBERT A. BRADY**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 4, 2003*

Mr. BRADY of Pennsylvania. Mr. Speaker, I rise to honor a respected member of the Philadelphia community. Mr. Jacob Hoffman is turning 100 years young.

Mr. Hoffman, a resident of Brith Shalom House, will celebrate his 100th birthday this July 2, 2003. A retired real estate broker and developer, Mr. Hoffman is well regarded in the real estate community. He served on the Philadelphia Board of Realtors and was a founder of the south Philadelphia Realty Board in 1929.

Mr. Hoffman has remained very active in Jewish circles. He received a citation for being a member of B'nai B'rith for over 50 years. He is the oldest board member of Har Zion Temple and is also a member of the Lions Club.

Along with his two daughters, three grandchildren, and two great grandchildren, I ask that you and my other distinguished colleagues join me in congratulating Mr. Jacob Hoffman during his 100th birthday celebration.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, June 5, 2003 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JUNE 6

9:30 a.m.

Judiciary

To hold hearings to examine the nomination of Eduardo Aguirre, Jr., of Texas, to be Director of the Bureau of Citizenship and Immigration Services, Department of Homeland Security.

SD-226

10 a.m.

Finance

To hold hearings to examine issues related to strengthening and improving Medicare.

SD-215

JUNE 10

9:30 a.m.

Armed Services

To hold closed hearings to examine certain intelligence programs.

S-407, Capitol

Commerce, Science, and Transportation

To hold hearings to examine reauthorization of the Federal Motor Carrier Safety Administration.

SR-253

Governmental Affairs

To hold hearings to examine castaway children, focusing on whether parents must relinquish custody in order to secure mental health services for their children.

SD-342

10 a.m.

Banking, Housing, and Urban Affairs

To hold hearings to examine the reauthorization of the Federal Public Transportation Assistance Program.

SD-538

Environment and Public Works

Fisheries, Wildlife, and Water Subcommittee

To hold hearings to examine the current regulatory and legal status of federal jurisdiction of navigable waters under the Clean Water Act, focusing on issues raised by the Supreme Court in *Solid Waste Agency of Northern Cook County v. U.S. Army Corps of Engineers No. 99-1178*.

SD-406

2 p.m.

Commission on Security and Cooperation in Europe

To hold hearings to examine internally displaced persons in the Caucasus Region and Southeastern Anatolia.

334, Cannon Building

2:30 p.m.

Energy and Natural Resources

National Parks Subcommittee

To hold hearings to examine S. 499, to authorize the American Battle Monuments Commission to establish in the State of Louisiana a memorial to honor the Buffalo Soldiers, S. 546, to provide for the protection of paleontological resources on Federal lands, S. 643, to authorize the Secretary of the Interior, in cooperation with the University of New Mexico, to construct